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TENTH BATTALION
VOLUNTEER INFANTRY MILITIA,
CANADA.

BY-LAWS AND REGULATIONS.

ADOPTED, THURSDAY, 5TH MARCH, 1863.

TORONTO:
ROWSELL & ELLIS, PRINTERS.

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Issued to Edward Synges
No. 18 in No. 4 Company.

The By-Laws and Regulations having been unanimously adopted at a general muster of the Battalion, on Thursday, the 5th March, 1863, the Lieutenant-Colonel commanding has ordered the same to be printed and distributed, for the information and guidance of every Officer, non-commissioned Officer, and Private.

FRED. W. CUMBERLAND,

LT. COL. COMMANDING,

10th Batt. Vol. Mil

Head Quarters, Toronto,
10th March, 1863.

10th Batt. Vol. Mil., (Infantry,) Canada.

BY-LAWS AND REGULATIONS.

SECTION I.—OF THE BY-LAWS AND REGULATIONS.

1. The battalion, and every member thereof, is subject to the provisions of the militia law ; and to the regulations and orders established and issued from time to time by, or under authority of, His Excellency the Commander-in-Chief ; and it is the duty of every officer, non-commissioned officer, and private to acquaint himself with, and obey the provisions of, the said law, and to assist in giving general effect to the same.
2. The battalion by-laws and regulations are adopted for the internal government and discipline of the corps ; to ensure similarity and order in the organization, control and service of the respective companies of which it is, or may be, composed ; to provide for the due care of its arms and equipments, for its proper financial management, for the regulation of its public ceremonials and festivities, and generally so to determine the details of its proceedings as may best secure its efficiency and harmonious working.
3. The battalion by-laws and regulations as now enacted, shall only be changed, altered, or amended by a clear two-thirds majority vote of the commissioned

officers present at a general meeting ; nor shall any resolution having for its object any such change, alteration, or amendment be in order at any such meeting unless one month's previous notice thereof shall have been given, by entry in the battalion requisition book, and by written notice posted in the officers' room at head quarters.

4. Nothing contained in the battalion by-laws and regulations shall be taken to prevent the respective companies from adopting other and further regulations for their own internal and separate government : provided always that such company regulations shall in no respect be inconsistent herewith, and also that they be approved by the Captain commanding the company, and the Lieutenant-Colonel commanding the battalion.

5. Nothing contained in the battalion by-laws and regulations, (or in company regulations should any such be adopted), shall be taken to over-ride or evade any provision of the militia law, or any regulations of the service, or to extend, contract, or alter any of the military powers or privileges thereby given to the respective ranks of officers, or any military rights or privileges thereby secured to non-commissioned officers and privates.

6. As it should be the ambition of every officer and member of the battalion to promote its efficiency, and to maintain its honour as a military organization, every officer, non-commissioned officer and private should evince a steady determination to give strict and cheerful obedience and effect to these by-laws ; and to discountenance and reprehend any infraction thereof. They have been unanimously adopted by the whole corps, and should be unanimously upheld and vindicated.

SECTION II.—OF GENERAL MANAGEMENT.

1. The management of the affairs of the battalion shall be vested in the commissioned officers thereof, as a body, under the provisions herein contained.
2. There shall be four quarterly general meetings of the officers, viz., on the second Tuesday in the months of January, April, July and October ; and the January meeting shall be the annual general meeting.
3. The affairs of the battalion shall be governed in detail by a board of officers, to be composed of the Field Officers, Captains and Adjutant, *ex officio*, together with four subalterns, to be elected at the annual general meeting, and seven shall be a quorum of the board.
4. The board shall appoint from amongst its own members, a Secretary and Treasurer to the battalion.
5. The board shall sub-divide itself into the following standing committees, and such others as to it may seem expedient, and three shall be a quorum of such committees :
 1. *On Organization and Discipline.*—To make arrangements connected with the organization, discipline and drill of the battalion ; to consider all questions between it and the government, or between the respective companies and the battalion ; to hear and enquire into all charges or complaints brought before it by officers or men ; to regulate the musical service of the corps, and the details of all rifle matches, festivities, funerals, or other public ceremonials of the battalion, excepting such as being under regulation of the service are subject to the direct authority of the commanding officer.

2. *On Arms, Supplies and Buildings.* — To manage all details connected with arms, accoutrements, clothing, ammunition, and other supplies; to control the use, care and maintenance of the head-quarters building; and to provide all proper supplies for the use of the battalion at rifle matches, festivities, or other public ceremonial.
3. *On Finance.* — To collect all subscriptions, fines, rents and allowances, and to govern all receipts and disbursements on account of the battalion fund.
6. One field-officer shall be appointed to each standing committee, and shall be chairman thereof, and the Lieutenant-Colonel commanding, and the secretary and treasurer shall be *ex officio* members of all committees.
7. No liability shall be incurred on behalf of the battalion by any officer thereof, nor by any standing or special committee, without the sanction first had and obtained of a vote of the board of officers: provided nevertheless that the officer commanding the battalion may, on any sudden and pressing emergency, incur necessary liabilities, reporting the same to the board for its adoption.
8. The board shall submit its proceedings and accounts at every quarterly general meeting, for the approval of the officers: and such measures may then be taken for the guidance and direction of the board as to the officers may seem expedient.
9. There shall be annually appointed a standing committee of the non-commissioned officers of the bat-

talion, to be composed of two non-commissioned officers elected thereto by each company, and such committee shall appoint, from its own members, a chairman and secretary.

10. The said standing committee may from time to time bring to the notice of the Lieutenant-Colonel commanding, or the board of officers, through the Captains commanding the respective companies, such matters as to them may seem desirable in the interest of the rank and file of the battalion: and it shall be competent to the board of officers to invite consultation with such standing committee when ever the same may seem desirable in the interests of the battalion.

SECTION III.—OF ENROLMENT, DISCIPLINE, &c.

1. The strength of the battalion shall be ten companies; and the strength of each company will be fifty-five non-commissioned officers and men; and it will be the duty of the Captains commanding to maintain their respective companies at that effective strength.

2. The staff of the battalion will be composed of one Lieutenant-Colonel, two Majors, Adjutant, and (if permitted,) a Surgeon and Assistant Surgeon.

3. Each company will be officered by the Captain commanding, Lieutenant and Ensign; and will be entitled to four Sergeants, four Corporals, one Drummer, and one Fifer and Bugler.

4. All recruits to companies in this battalion must be British subjects, resident within the limits of the city of Toronto; must be at least five feet five inches in natural height, in sound bodily health, and not less than seventeen or more than forty-five years of age, at the date of his enrolment.

5. Every applicant for enrolment must be recommended by at least two privates and one non-commissioned officer of the company he proposes to join ; and the Captain commanding may thereupon either admit or reject the application

6. On the recruit being approved for enrolment his name shall be entered on the roll of the company, with the date of his admission, the names of the officers and privates recommending him, his age, height, and residence in full ; and he shall thereupon be required to sign an engagement to obey, observe and fulfil all laws governing the militia of Canada, and all the by-laws and regulations of the tenth battalion, and of the company thereof to which he is attached.

7. The non-commissioned officers of companies shall be appointed and promoted by the respective Captains commanding, under such regulations as they may establish for securing the efficiency of the non-commissioned officers, and the punctual discharge of their duties.

8. Officers, non-commissioned officers and privates are, while continuing such, exempt from serving as jurors or constables ; and if they shall serve for a term of seven years, such exemption shall continue after the expiration of the said term. A certificate from the Captains commanding or from the Lieutenant-Colonel will secure such exemption. (See 22 Vic., cap. 35, sec. 47.)

9. No non-commissioned officer who shall have served in this battalion shall thereafter be bound to serve in the militia in a lower grade than he held when serving in the battalion, unless he shall have been reduced by authority. (See 22 Vic., cap. 35, sec. 52.)

10. No non-commissioned officer or private shall in any case, unless legally discharged, leave the battalion without giving at least two months' notice in writing to the commanding officer of his intention so to do. (See 22 Vic., cap. 35, sec. 48.)

11. No non-commissioned officer or private shall remove or exchange from any one company into any other, without first obtaining the consent of the Captains commanding the respective companies.

12. In the event of any non-commissioned officer or private being dismissed or expelled from the battalion by judgment of a court of enquiry, (as hereinafter provided,) the same shall be duly reported by the Adjutant to the brigade-major of the district, for promulgation to the other volunteer corps in the district, for service in which the man so dismissed or expelled will then be ineligible.

13. No non-commissioned officer or private shall at any time appear armed or accoutred, except when *bonâ fide* at drill, or at target practice, or at reviews or inspections, or on field-days, or for receiving distinguished persons, or rendering funeral honour to deceased comrades, or when required to act in aid of the civil power under due authority. (See 22 Vic., cap. 35, sec. 35.)

14. Officers, non-commissioned officers, and privates, shall appear in and wear regulation uniform when on duty—and then only; excepting when visiting other military or volunteer corps, or with the special sanction of the Captain commanding, or the Lieutenant-Colonel commanding the battalion.

15. Non-commissioned officers and privates shall appear on duty with uniform, clothing and accoutrements in perfect, cleanly, smart, and serviceable con-

dition, and with such attention to personal appearance as is essential to the credit of the corps. It shall be the duty of the non-commissioned officers to inspect, their men upon this point ; and of the officers commanding companies, or of the Adjutant, to order all failing therein to fall out of the ranks.

16. Officers, non-commissioned officers and privates when in uniform and on duty, will observe all military etiquette ; and pay and acknowledge all proper military compliments to and from the respective ranks, as paid and observed in the regular service.

17. On any complaint being made against any non-commissioned officer or private for insubordination, neglect, or impropriety, or for any act in contravention of the militia law, or of these by-laws, or for any conduct unbecoming a volunteer, or injurious to the discipline and honour of his company, or of the battalion at large, the Captain commanding the company shall institute a preliminary investigation, and if, in his opinion, the circumstances warrant such a course, he shall report the case in writing to the Lieutenant-Colonel or other officer commanding the battalion, who in consultation with the standing committee on discipline, shall thereupon order a court of enquiry to be held, and the decision and judgment of that court (subject to the approval of the Lieutenant-Colonel or officer commanding the battalion) shall be read before every company of the battalion, and such judgment shall be final and binding upon all officers, non-commissioned officers and privates of the battalion : provided always that it shall be competent to such court of enquiry, at its discretion, not to adjudicate finally upon the case, but to remit it for such other or further action as the militia law and the regulations of the service may provide.

18. When any court of enquiry shall thus be ordered it shall consist of one field-officer, (president,) three Captains, one Lieutenant, and one Ensign, to be appointed by the Lieutenant-Colonel or officer commanding; but no officer attached to the company with which the case is connected shall be a member of such court.

19. Courts of enquiry as aforesaid shall be open to all officers, non-commissioned officers and privates of the battalion during the proceedings in the case, but may be cleared by order of the president whenever consultation between the members may be necessary, and when the enquiry is closed for decision.

20. All charges against commissioned officers shall be made in writing to the Lieutenant-Colonel or officer commanding the battalion, who may order and appoint a court of enquiry thereon, for the purposes and with the powers already above provided; but such court shall be open only to commissioned officers and the prosecutors and witnesses in the case, and shall be composed of one field-officer, (president,) and five other commissioned officers, none being of inferior rank to the officer against whom the charges are brought.

21. Nothing herein contained is to be taken as in any way relieving or acquitting officers, non-commissioned officers, or privates from the procedure and penalties provided by the militia law in regard to "offences." (See 22 Vic., cap. 35. sec. 94.)

SECTION IV.—OF THE CARE OF ARMS, EQUIPMENTS, STORES AND BUILDINGS.

1. The Captains commanding companies are respectively responsible to the government (through the Lieutenant-Colonel commanding the battalion) for the

safe custody, care, cleanliness and good order of all arms, accoutrements, equipments, clothing and military stores issued to, or for the use of, their respective companies; and the Captains accordingly have power to make all such regulations in regard thereto as (consistently with these by-laws) may, in their judgment, best provide for the same.

2. All military stores and clothing received by Captains shall (so far as the government regulations permit) be numbered and marked previous to issue to the rank and file for service; and a company register shall be kept of the class and number of each article issued to each non-commissioned officer or private respectively.

3. Captains commanding may, if they deem fit, tell off their companies into five squads, and may attach a non-commissioned officer to each, whose duty it shall be to keep a supervision over the arms, accoutrements, and clothing of the men in their squads; to see that they are kept in safety and good order, and to secure their return to the company stores in the event of the absence, discharge, removal, or death of their men. The Captains may also, at their discretion, attach such duties to the subalterns of their companies as may further assist in providing for this most important service and responsibility.

4. The arms are on no pretence whatever to be removed from the armories without the authority and assent of the Captains of the respective companies, and under such regulations as they may establish.

5. By a general order of the Commander-in-Chief the wearing of side arms is strictly forbidden, except when actually on duty.

6. The standing committee on arms and supplies shall appoint a competent person to the charge, cleaning and care of the arms, accoutrements and other stores of the battalion, under such regulations as, in conjunction with the Captains, they may establish for that service; and such person shall be paid by the committee from the battalion fund.

7. In the performance of such service the person so appointed shall obey and observe all orders from the Captains in regard to the arms, &c., of their respective companies; and payment for such service shall only be made on the form of monthly certificate of the Captains stating that the arms, &c., of their respective companies have been inspected, that their numbers are correct, and that the whole are in good and cleanly order, and fit for service.

8. It shall be competent to the standing committee on arms and supplies to inspect the arms, &c., of the battalion at such times and in such manner as they may appoint, reporting quarterly to the board of officers thereon, especially in relation to arms or other stores missing or out of order.

9. The care and management of the head quarters building shall be in charge of the standing committee on arms and supplies: it shall be used primarily for the purposes of the battalion, but when not so required may be rented for the use of other volunteer organizations, and the proceeds carried to the battalion fund: provided always that no engagement be entered into which cannot be terminated on one month's notice.

SECTION V.—OF DRILLS, PARADES, &c.

1. Battalion parades, drills, and marches shall be

ordered at such times and under such regulations as the Lieutenant-Colonel commanding may appoint.

2. Company drill shall be appointed from time to time by the Lieutenant-Colonel commanding, in consultation with the Captains of the respective companies.

3. It will be the duty of all officers, non-commissioned officers and privates to attend every appointed drill of their respective companies punctually at the appointed hours.

4. The Adjutant will be charged with the general management of the drills : the drill instructor will be subject to his orders ; the returns of drills will be made to and by him, and he will be responsible for the details and efficiency of this service.

5. At the appointed hour the senior officer present shall muster and prove his company, and the roll shall be called whenever the officer in command may direct.

6. An exact company record shall be kept of the attendance of all officers, non-commissioned officers and privates, and returns made thereof monthly by the Adjutant to the Lieutenant-Colonel commanding.

7. No recruit shall be allowed to fall in for drill with his company until he shall have been reported to the Captain commanding or the Adjutant, by the drill instructor, as sufficiently perfect in his squad and manual drill to entitle him to that privilege.

8. The Captain commanding, or Adjutant, may at any time order men to separate squad drill, who by their neglect, indifference, or unskilfulness may interfere with the progress or efficiency of their company.

9. All commissioned officers joining after the date of these by-laws shall drill in the ranks as privates, until reported by the Adjutant to the Lieut-Colonel commanding as sufficiently advanced and perfect to be dismissed therefrom.

10. The non-commissioned officers may, if they see fit, establish a special drill for that rank in addition to the company drill; and may institute their own regulations therefor, subject to the authority of the Adjutant, who shall provide the necessary instruction and accommodation for such drills.

11. Commissioned officers absent without leave from company or battalion drill shall pay a fine to the battalion fund for every such absence, of such amount as the board may from time to time establish.

SECTION VI.—OF FINANCE.

1. All moneys, whether by allowance from the government, subscriptions, fines, rentals, or other sources shall be paid to and received and disbursed by the standing committee on finance; and accurate accounts thereof shall be kept by that committee and the Treasurer.

2. Any government allowance (if any) to the rank and file shall be paid without delay to the parties entitled thereto; and no deduction shall be made from the same other than is herein specially provided.

3. The accounts of the battalion shall be audited annually, and a statement thereof published for the information of all ranks.

4. A battalion fund shall be formed to provide for such expenses as are common to the corps at large.

5. Each company may form a separate "company fund" for such other expenses as shall be special and peculiar to each ; and such "company funds" may be governed and used in such manner as the officers, non-commissioned officers and privates of the respective companies may themselves determine.

6. The battalion fund shall consist of the government allowances for arms, armories, buildings, or other general services, (exclusive of drill allowances to the rank and file,) of all rents, subscriptions, fines, or other sources, and of contributions from all officers, non-commissioned officers and privates, on the following scale per annum, viz. :—

Privates, each	\$1 00
Corporals, "	1 50
Serjeants, "	2 00
Ensigns, "	4 00
Lieutenants "	6 00
Captains, "	12 00
Majors, " ..	24 00
Lieut.-Colonel	48 00
Honorary members	4 00

*Record to 50. Cent.
of the officers to pay the amount received
by them for current date pay.*

The contributions of the officers shall be collected quarterly, and of the non-commissioned officers and men from their government allowance, (if any,) when the same shall be paid, and from such allowance only. Of the contributions of the latter, half the sums named shall, if collected as aforementioned, be transferred to their respective company funds, for separate company uses, as hereinbefore provided. In case the government make no allowance, then this clause shall be inoperative as affects rank and file.

7. The respective companies may, with the sanction of their captains, establish fines to be paid by the non-commissioned officers and privates thereof for absence (without leave) from drill ; such fines in no case to exceed a rate of five cents per drill ; and the fines, if any, so levied and collected shall be added to the " company fund."

SECTION VII.—OF RIFLE MATCHES, FESTIVITIES, FUNERALS, &c.

1. There shall be an annual battalion rifle match, to be held at such time and place, and under such regulations as may be established for that purpose ; and the chief prizes to be competed for shall be provided from the battalion fund.

2. There may be separate company matches, preliminary to the annual battalion match, and the prizes therefor may be provided from the " company funds."

3. There shall also be an annual battalion meeting for athletic sports and exercises, foot and hurdle races, &c., &c. ; and prizes for the same shall be provided from the battalion fund to the extent of its ability.

4. Other battalion or company festivities (as balls, excursions, &c.) may be organized from time to time, as may be agreed upon between the board of officers and the committee of non-commissioned officers ; but no such festivities shall be engaged in having any official connexion with the battalion, except with the approval of the Lieutenant-Colonel or officer commanding.

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5. Commissioned officers shall be entitled, on the request or with the consent of their friends, to regulation battalion funerals : non-commissioned officers and privates shall be similarly entitled to regulation company funerals. At all such funerals the regulations of the service shall be strictly adhered to.

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